

CITY OF SUNNYVALE 2004 LEGISLATIVE ACTION POLICIES (DRAFT)

1. LAND USE AND TRANSPORTATION

i. The Region

- (1) ~~Support local sales tax dedicated to regional transportation needs. [1996 County Ballot Initiative-Measure F]~~ (2003 Public Works Staff Recommendation)
There is no current proposal, and a pending proposal will need scrutiny before a position can be taken
- (2) Support efforts to provide a permanent, direct percentage of federal transportation funds to local government transportation departments for priority work in urban areas. Support federal funding appropriations at the highest levels. *[Added as ISTE in 1991/Expanded 1993 NLC Resolution/Modified 2003]*
- (3) Support state funding for regional transportation projects; oppose eliminating or reducing state or federal funds due to local contributions. Support local input in determining project priorities. Oppose transfers of local and statewide transportation funds to balance the State General Fund budget. *[*/Modified 1995/Modified 2003]*
- (4) Seek local policy participation on regional rail projects and support efforts to bring light rail service to downtown Sunnyvale. *[*/Modified 1993]*
- (5) Support efforts to change the representation on the Metropolitan Transportation Commission to reflect the relative population of Bay Area counties. *[First Appeared 1995]*
- (6) Support upgrading Caltrain service to provide faster and more frequent service to Sunnyvale; support transportation policies and funding that would provide and improve connections between Light Rail, Caltrain and industrial neighborhoods. *[*/Modified 1998-July/Modified 2001]*
- (7) Support continued operation of the Santa Clara Valley Transportation Authority bus transit and paratransit service at service levels sustainable to meet the needs of transit dependent populations. *[*/Modified 1996 Ballot Initiative-Measure D/Modified 2001/Modified 2003]*
- (8) Oppose changes in laws that allow increasing the size and weight of commercial trucks. *[Council Resolution–April 1991/ Modified 1994 and 1998-July]*
- (9) Support the concept of a proposed water transit system. However, Sunnyvale believes that any water transit system should be funded through new revenue sources only, that local officials should be directly involved in governing any water transit system, and the interests of its residents should be protected. *[Council RTC 98-264/Modified 2000]*
- (10) Support the continuing efforts of the San Francisco Bay Area Water Transit Authority to explore San Francisco Bay Ferry Expansion, and reasonable and feasible alternatives for multimodal access to a South Bay ferry terminal. *[*/Modified 2003]*
- (11) Support efforts to allow Bay Area voters to decide upon a regional gas tax that would raise funds for regional transportation improvements. *[1998- staff suggestion]*

- (12) Support flexible spending of state and federal transportation funds for locally determined needs. Oppose project or program specific earmarking of funds from existing funding sources. *[First Appeared 2001/ Modified 2003]*
- (13) Support flexible regional, state and federal funding for pavement maintenance *[2001 Public Works staff recommendation/2002 modification]*
- (14) Support efforts to implement a uniform regional or statewide street cut maintenance fee. *[2001 Public Works staff recommendation]*
- (15) Support the concept of Smart Growth that promotes a stronger integration of land use and transportation on state, regional and local levels. Integrate local priorities in land use and transportation into Smart Growth actions. *[First Appeared 2003]*
- (16) Build consensus, on a sub-regional level, on methods to address regional transportation, housing, and land use challenges and advocate those solutions *[First Appeared 2003]*
- (17) Support new funding and support programmatic and coordination efforts to enhance the mobility of the growing senior population. *[First Appeared 2003]*
- (18) ~~Support a formal re-evaluation of the methodology for the setting of speed limits.~~ *[2002 LCC Resolution] [2003 Public Works Staff Recommendation]*
The prima fascie speed limit was re-evaluated in 2000 by the State. Provisions were added to address travel speeds near schools and senior facilities. This item is no longer necessary. Staff believes that current law provides sufficient flexibility for setting reasonable speed limits.
- (18) **Support identification and pursuit of limited term revenue sources for transit capital and operating purposes only after stabilization of revenue and service levels sustainable to meet the needs of transit dependent populations.** *[2003 Public Works Staff Recommendation]*
VTA has grown their transit system beyond the capability of stable funding sources to operate. The VTA has taken action to expend limited term sales tax revenue on operations, which is counter to good budgeting practice. Staff believes that the VTA should establish a base service level to meet the basic transit needs of the County's population, and secure stable funding for that service, before any additional measures to fund transit expansion occur.
- (19) **Support the use of Federal Transportation Trust Funds for the delivery of transportation system improvements and distribution of the funds done on the principle of "return to source". Oppose retention of trust funds for the purpose of "masking" the federal deficit or actual budgetary imbalances.** *[1998-December-staff suggestion] [2003 Finance & Public Works Staff Recommendation]*
Moved from Section 7, Planning & Management, (i) Federal
- (20) **Support the American Rail Equity Act. Provide Amtrak with adequate operating assistance and make much-needed capital investment in passenger rail, including the development of high-speed rail corridors.** *(2004 NLC Resolution)*

ii. The City

- (1) ~~Support home rule authority of charter cities and oppose any efforts to reduce local control. Support strengthening "home rule" provisions in the State Constitution. [First Appeared 1996/Modified 1998-January]—(2003 Community Development & Finance Staff Recommendation)~~
Moved to 7.3, Legislative/Management, Miscellaneous
- (2) Support metering ramps to freeways and expressways as long as they do not adversely affect local surface traffic. *[First Appeared 1993]*
- (3) Oppose exclusionary city practices regarding group and residential care homes, but support legislation authorizing increased city land-use control of such facilities. Support increased federal funding to states for adequate licensing and oversight of group homes. *[First Appeared 1992/Modified 1996/2002 NLC Resolution]*
- (4) Support the ability of cities to address neighborhood concerns regarding shopping cart retrieval to reduce urban blight. *[1997 LCC Resolution]*
- (5) Allow cities and counties to address land use matters in mobile home parks based on circumstances unique to the local jurisdiction. Support clarification where uniform regulations are necessary on a statewide basis. *[First Appeared 1993/Modified 1998-January]*
- (6) Strengthen the control of cities over development within or contiguous to their sphere of influence. *[*]*
- (7) Support efforts to assure that California cities' interests continue to be appropriately reflected in the adoption of uniform codes. *[1998 LCC Resolution/Modified 2000]*
- (8) Oppose broad exemptions from the National Environmental Policy Act (NEPA). *[2003, 2004 NLC Resolution]*
- (9) Support the rights of cities to request that the United State Postal Service develop and implement zip codes that do not overlap municipal boundaries. *[2002 LCC Resolution]*
- (10) **Oppose the reauthorization of the U.S. Surface Transportation Board (STB) unless and until the law is amended to ensure that cities have police, zoning and land use authority for protection of the environment and public safety.** *[2004 NLC Resolution]*

2. COMMUNITY DEVELOPMENT

Economic Development

- (1) Support **current** housing, transportation and other fees and exactions to mitigate the impacts of development and provide infrastructure to address quality of life issues **provided that such action does not place Sunnyvale at a competitive disadvantage among other Silicon Valley cities in the attraction and retention of major growth industries** *[First Appeared 1998-January] [2003 Community Development Staff Recommendation]*
- (2) Oppose state actions that would negatively impact the allocation of tax increment revenue to redevelopment agencies. *[*/Modified 1998-December]*

- (3) Support state and federal economic development strategies with sufficient funding for new economic development initiatives, and in consultation with local governments, develop strategies for economic viability (i.e., trade policies). Protect local government authority from erosion through international trade agreements. *[First Appeared 1993/Modified 1994/1998-July combined with policy that existed at least since 1989/2002, 2004 NLC Resolution]*
- (4) Oppose ~~new or~~ excessive fees and tax increases on business that worsen the local and state business climate. *[First Appeared 1993] [2003 Community Development Staff Recommendation]*
Language is redundant.
- (5) Encourage federal cooperation with local governments if planning to restore, replace, close, or relocate a federal facility. *[1999/2000 NLC Resolution]*
- (6) Support participation of local government in plans to restore, replace, close or relocate postal facilities. *[2002 NLC Resolution]*
- (7) Advocate at the state and federal levels for adequate funding for basic research and for programs that will strengthen the region's R&D infrastructure. (BAEF/Bay Area Science Infrastructure Consortium) *[First Appeared 2003]*
- (8) **Support investment in research and business opportunities to enhance homeland security and promote local security-related products and services that have applications by government at the local, state and federal levels.** *[2003 Community Development Staff Recommendation]*
Explanations for 2.(8) and 2.(9): These are areas of emerging technologies that will be an important focus of economic recovery in this region. The development of these technologies are supported by the Bay Area Economic Forum and Joint Venture Silicon Valley.
- (9) **Support local, state and federal initiatives that will enhance Sunnyvale's competitiveness for emerging technology business development, including bioscience, information technology, and nanotechnology.** *[2003 Community Development Staff Recommendation]* *See Explanation for 2.(8) above.*
- (10) **Support the creation of a state economic development strategy that emphasizes business retention, promotes investment and business development opportunities, and promotes California as a good place to do business.** *[2003 Community Development Staff Recommendation]*
Explanations for 2.(10) and (11): These policies are in anticipation of state actions in the coming year on cost of doing business in California. The policies are adapted from the California Economic Development Association (CALED).
- (11) **Support efforts to identify, assess, and mitigate key obstacles to business development in California, including workers compensation insurance, government regulations negatively impacting business, and the lack of a state economic development strategy.** *[2003 Community Development Staff Recommendation]* *See explanation for 2.(10) above.*
- (12) **Urge the federal government to provide national defense and economic stimulus assistance to include small business and local economies that experience economic injury because of terrorist attacks.** *[2002 NLC Resolution]—[2003 Community Development & Public Works Staff Recommendation]*

Moved from 3.1 - Water Resources.

2.2 Open Space

- (1) Support state and federal funding programs for the acquisition ~~and~~—development **and preservation** of **parklands** and open space **including river parkways, creeks, stream improvements and wetland habitats**. Support legislation to prohibit the sale, exchange, or transfer of park land already held in the public trust and urge the adoption of comprehensive federal policies for protection and management of all park lands. Support full funding annually ~~of the~~, and encourage Congress to allocate 40% of the funds for state and municipal projects. *[First Appeared 1993/2002 & 2003 NLC Resolution] (2003 Parks & Recreation Staff Recommendation)*
Added language to clarify the policy.
- (2) Oppose changes to state law that would adversely impact the City's ability to acquire school playgrounds, playing fields and recreational real property from school districts. *[*/Modified 1998-July]*
- (3) Support the completion of the Bay Trail (including NASA property). *[1998 Moffett Study Session]*
- (4) Encourage open space districts to purchase urban/suburban land as appropriate and feasible. *[1998-Council suggestion]*

2.3 Housing and Community Revitalization

- (1) Support efforts to address the affordable housing issue in cities by continuing efforts to maintain local control, opposing federal and state mandates, bureaucratic layers, and attempt to remove local control of land use, zoning, and impact fees. Support uniform enforcement of the federal Fair Housing Act. *[First Appeared 1992/ Modified 1994/2002 NLC Resolution]*
- (2) Support full funding of the federal CDBG program and continue HOME programs with increased funding, while urging federal, state and municipal governments to make the maximum use of the programs through partnerships with non-profit organizations and the private sector. Support enhanced local priority setting and administrative flexibility. *[First Appeared 1993/2002 & NLC Resolution]*
- (3) Support the continuance of the Section 8 rental assistance program, maintaining the supply of Section 8 and other predominantly multi-family housing threatened by the expiration of federal housing subsidy contracts, and efforts to ensure HUD sets a fair market rent standard that is reflective of actual housing market conditions. *[1989 LCC Resolution/2003 NLC Resolution]*
- (4) Support state reimbursement to local agencies for low-income housing projects, and the appropriation of funds in the state budget for reimbursements to local governments that provide property tax exemptions for low-income housing projects. *[1990 LCC Resolution]*
- (5) Support the Low-Income Housing Tax Credit (LIHTC) program; and oppose efforts to weaken or eliminate it. *[1998 LCC Resolution]*
- (6) Oppose modifications to the home mortgage interest deduction. *[1989 LCC Resolution]*

- (7) Oppose efforts to weaken the 1977 Community Reinvestment Act (CRA) by exempting most banking institutions from its coverage and support equal reporting of business and residential loans. . [*First Appeared 1992*]
- (8) Support full funding for the McKinney Homeless Act or other similar programs. Increase the recognition of the need for long-term solutions to the homeless problem. [*1988 & 1989 NLC Resolutions/ Modified in 1994*]
- (9) Support exemption from the school impact fee for all publicly-subsidized housing, including low and moderate-income housing for senior citizens. [*]
- (10) Oppose local mobile home rent control and support voluntary methods to limit rent increases and encourage mediation in rent disputes. [*1996 Ballot Initiative-Prop. 199*]
(2003 Community Development Staff Recommendation)
The policy as stated misrepresents the action Council took opposing the initiative. The Proposition would have eliminated any future rent control ordinances from being enacted, therefore Council approved Resolution No. 192-95 opposing the initiative, stating, "Council opposes any statewide preemption of local control to make policy responding to the crisis in affordable housing, especially mobile home park space rents and availability. This initiative is being misrepresented as one which would assist mobilehome owners in meeting their rents."
- (11) Support efforts to make surplus federal property available to cities for affordable housing at up to 100% public benefit allowance. [*1993 NLC Resolution*]
- (12) Support low-moderate income congregate housing counting for the housing needs assessment goals and redevelopment requirements. [*1993 LCC Resolution*]
- (13) Support efforts to remove the mandatory voter approval for all low-rent housing projects. [*1993 Ballot Initiative-Prop. 168*]
- (14) Urge establishment of a federal government permanent, dedicated revenue stream to help state and local officials increase the availability of affordable housing within the Housing Trust Fund. [*2002 NLC Resolution/2003 modification*]
- (15) Support expeditious enactment of the Historic Homeownership Assistance Act. [*2002, 2003, 2004 NLC Resolution*]
- (16) Oppose administration efforts to reduce CDBG allocations to wealthiest communities and oppose HR1191 the CDBG Renewal Act which would reduce program flexibility. [*First Appeared 2003*]
- (17) Support reforming HUD's accounting and projection procedures to ensure that families and senior citizens in need of affordable housing are not affected by miscalculations. [2004 NLC Resolution]**
- (18) Support legislation that requires the federal government to provide flexible funding and technical expertise to enable communities to design and lead neighborhood revitalization projects. [2004 NLC Resolution]**

2.4 Safety and Seismic Safety

- (1) Support effective earthquake mitigation programs for all housing through a pre-funded disaster recovery program. [1990 Ballot Initiatives–Props. 122 and 127/Modified 1993 and 1996]
- (2) Support statewide efforts to coordinate disaster preparedness programs in local jurisdictions and support guidelines to identify the strengths and weaknesses of local preparedness efforts. [1990 LCC Resolution]
- (3) Support the posting of specific emergency procedures in apartment buildings and signs in international signage or other language if appropriate. [1993 LCC Resolutions]
- (4) **Support adoption of the International Codes published by the International Code Council.** [2003 Community Development Staff Recommendation]
This code has been adopted by 44 other states and is the current code (in earlier edition) in California. It is supported by the State's building officials, city managers, and League of Cities. Adoption of the alternative National Fire Protection Code would be costly and disruptive for the building industry and for cities.

2.5 Community Design

- (1) Support the authority of local government to remove on-premise-advertising signs on the basis of height or size after a reasonable period of time. [1997 LCC Resolution]
- ~~(2) Support action, which require the U.S. Postal Service to cooperate with local governments when planning to restore, replace, close, or relocate a postal facility. [2002 NLC Resolution] (2003 Community Development Staff Recommendation)~~
This is a duplication. The same policy is stated under Economic Development.

3. ENVIRONMENTAL MANAGEMENT

- (1) Support incentives to limit all types of pollution at its source. [*]
- (2) Support efforts to develop and require a peer review process for the development of environmental regulations. [1989 LCC & NLC Resolutions]
- (3) Support a study on the relative costs and benefits of current overlapping environmental review procedures and streamlined procedures to the National Environmental **Policy** Act. [1989 LCC Resolution] [2003 Public Works Staff Recommendation]
- (4) Encourage reasonable regulations on all types of pollutants with known health risks to humans (e.g. cancer, birth defects, etc.). [1990 Ballot Initiative-Prop. 135/ Modified 1998-December]
- (5) Oppose creating separate sentencing guidelines for local government officials convicted on environmental offenses. [1994 NLC Resolution]
- (6) Support the development and implementation of outreach, educational, financial, and technical assistance programs as part of an overall compliance strategy in order to assist businesses of all sizes to better understand and comply with environmental regulations. [First Appeared 1992]
- (7) Support strengthening wetlands protection. [First Appeared 1994-HR 350]

- (8) ~~Support the creation of economic incentives for the use of recycled materials through methods such as procurement requirements, tax policies and permit assistance. [2000 Staff recommendation] (2003 Public Works Staff Recommendation)~~
Merged with similar statement in 3.2 (2)
- (8) Support full funding by the federal government for environmental remediation of closed federal facilities. [2002, 2003, 2004 NLC Resolution]
- (9) ~~Support requiring local government participation on the governing Regional Water Quality Control Boards. [First Appeared 2003] (2003 Public Works Staff Recommendation)~~
Policy is no longer needed. City and county elected official seats on regional water boards are now mandated by SB 196 (Kuehl), signed by Governor Davis 9/3/03.

3.1 Water Resources

- (1) Support a statewide action plan for addressing water-related issues, including availability, quality and recycling. [1990 LCC Resolution/2001 clarification]
- (2) Support reauthorization of the Clean Water Act to include storm water outfall regulation provisions which affect a gradual implementation schedule of the outfall permit process. Support an amendment to the municipal storm water program regulations and permitting requirements to establish financially responsible and realistic guidelines based on best management practices. Support efforts by the federal government to work cooperatively with municipal governments to ensure safe drinking water. [1990 NLC Resolutions/Modified 1993]
- (3) Support and participate in ~~the creation of~~ the Bay Area Water Supply and Conservation Agency (BAWSCA), ~~as provided in AB 2058~~, intended to:
 - a) plan for and acquire supplemental water supplies;
 - b) encourage water conservation and use of recycled water on a regional basis, and;
 - c) assist in the financing of essential public works in a coordinated and cost-effective manner.

~~And to~~ Actively participate as a member of the San Francisco Bay Area Regional Water System Financing Authority (Authority) ~~created by SB 1870~~ to make contracts and to borrow money and issue notes and bonds, including revenue bonds to fund projects to improve the reliability of the regional water system. [2003, Modification based on Council Recommendation *[2003 Public Works Staff Recommendation]*
BAWSCA and the RFA have now been formed. Sunnyvale has appointed a representative to the two bodies. The goal now should be to continue to work as an active member of these agencies.
- (4) Oppose requiring cities and counties to conduct a water supply analysis every five to ten years. [First Appeared 1993]
- (5) Support efforts to give the state the flexibility to adopt toxicity standards based on site-specific conditions which will provide reasonable, cost-effective protection to aquatic organisms and human health. Support a more cooperative approach between all levels of government and the private sector to determine environmental priorities and standards. [1990 NLC Resolution]

- (6) Support financial incentives for **recycled** water ~~reuse~~ and legislation that encourages the treatment of municipal wastewater for non-potable reuse and promote the development of reasonable regulations to encourage and maximize the responsible use of recycled water as an alternative to California's fresh water supply. Support revisions to existing restrictions on the use of recycled water under Title 22 of the California Code of Regulations to include technical quality standards and broaden the spectrum of acceptable water applications. [**/Combined with existing policy in 1994/modified 2001*] *[2003 Public Works Staff Recommendation]*
- (7) **Support the efforts of the Bay Area Regional Water Recycling Program (BARWRP) to support, encourage, publicize, and apply for funding for expansion and continued support of recycled water in the region.** *[2003 Public Works Staff Recommendation]*
BARWRP is a regional organization whose sole focus is on the support, coordination and funding of all manner of water recycling in the Bay area. Sunnyvale has been an active participant since its inception.
- (8) **Support water conservation efforts to extend the availability of potable water supply in times of drought and in normal conditions. Actively participate in rebate and cost-sharing water conservation programs that are shown to be cost effective. Work with Santa Clara Valley Water District (SCVWD), BAWSCA, BAWUA, SFPUC and any other agency that has jurisdiction and sponsors programs for the conservation of potable water.** *[2003 Public Works Staff Recommendation]*
Water conservation is critical to our region and will make available supplies go farther. Sunnyvale has been active in water conservation for years. New opportunities are often presented to continue to be supportive in this area. This also separates the issue from the specific issue of individual devices in the following item.
- (9) ~~Support ongoing state and local water conservation efforts.~~ Encourage the installation of reasonable water conservation devices in a building prior to transfer of title provided there are economic impact criteria. [*First Appeared 1993*] *[2003 Public Works Staff Recommendation]*
- (10) Support the right of retail water users to transfer water allocations among themselves. Work with water agencies to devise means of effective transfers that will not risk existing water rights, but will augment water supplies of drought impacted areas. [*First Appeared 1993/Modified 2000*]
- (11) Support a moratorium on the promulgation and implementation of certain drinking water regulations under the Safe Drinking Water Act until such time as studies are completed and the reauthorization of the Act is carried out. [*First Appeared 1993*]
- (12) Support increased federal support for municipal water infrastructure needs. Support reversing the decline in funding for municipal water infrastructure, and close the \$23 billion annual spending gap between funding levels and actual appropriations. [*2002, 2003, 2004 NLC Resolution*]
- (13) Support ~~cooperation~~ efforts **between of** San Francisco **Public Utility Commission (SFPUC), Santa Clara Valley Water District (SCWD), BAWSCA (Bay Area Water Supply and Conservation Agency), and BAWUA (Bay Area Water Users Association)** to **develop plans, analyze systems, and** complete critical infrastructure improvements and replacements to ensure reliable water service. *[2000 Staff Recommendation] [2003 Public Works Staff Recommendation]*

With the creation of BAWSCA it becomes the primary contact agency with the SFPUC. BAWUA may eventually be dissolved, but at this time continues in a relationship with SFPUC that should be supported. Therefore, both agencies should be listed for now. SFPUC and SCVWD are performing reliability studies on their systems and the systems of area retailers. The change expands the original statement to include all of these related activities.

- (14) Request modification of California SB 709 and the Federal Clean Water Act to limit mandatory penalties and frivolous citizen lawsuits. [LCC- 2001 #5]
- (15) Support efforts to negotiate with state and regional water quality control boards attainable discharge permits rather than only zero tolerance standards. [LCC-2001 #4]
- (16) Urge the federal government, including FEMA and the Federal Insurance Administration, to amend the underwriting requirements to allow public water and wastewater treatment facilities to be eligible for flood insurance coverage at affordable rates. [2002 NLC Resolution]
- (17) ~~Urge the federal government to provide national defense and economic stimulus assistance to include small business and local economies that experience economic injury because of terrorist attacks. [2002 NLC Resolution]—(2003 Community Development & Public Works Staff Recommendation)~~
Not specific to 3.1 - Water Resources. Moved to Economic Development.
- (18) **Support legislation that requires the federal government to provide sufficient funds for clean up of estuaries and bodies of water. [2004 NLC Resolution]**

3.2 Solid Waste Management

- (1) Oppose taxes or fees on local refuse programs to fund statewide programs. [*]
- (2) Support the development of markets for recycled materials and products **including through methods such as procurement requirements, tax policies, permit assistance, and** support ~~of~~ legislation to increase manufacturer minimum recycled content requirements. **[1989 LCC and NLC Resolutions] [2003 Public Works Staff Recommendation]**
Modified to incorporate similar content of 3.0(8), which can be deleted
- (3) Support administrative and legislative decisions regarding the state beverage container recycling program that provide financial support for jurisdictions for local recycling programs. [1997 LCC Resolution]
- (4) Support eliminating local government liability under Superfund for the disposal of ordinary municipal waste; provide expedited de minimis settlements for hazardous material generated by local government operations; and allocate costs on the basis of toxicity rather than the volume of municipal waste. Superfund reform should also provide a level of protection to third party investors, lenders, and developers of brownfields sites. [1990 NLC Resolution]
- (5) Support federal legislation **and legal appeals** that would authorize state and local governments to use flow control ordinances, franchises and contracts to direct solid waste to specific transfer stations, landfills, and other solid waste management facilities. [1993 NLC Resolution/Modified 1998-December] **[2003 Public Works Staff Recommendation]**

Modified to reflect the fact that much of the law in this area is being determined by litigation.

- (6) Support advance disposal fees (ADFs) on the purchase of hazardous household products, with revenues to help support local household hazardous waste management programs. [1995-staff suggestion]
- (7) Support cooperation between state and local jurisdictions on source reduction and recycling to meet state solid waste reduction goals. (AB 939) [First Appeared 1995]
- (8) **Support extension or expansion of tax credits for conversion of landfill gas to electricity. Maintain federal and state financial support for beneficial use of landfill gas and other biomass energy.** [1998-December-staff suggestion] [2003 Public Works Staff Recommendation]
Substitutes broader language that acknowledges that financial support comes in forms other than tax credits, and that beneficial use (e.g. for generation of electricity) of WPCP digester gas should also be encouraged.
- (9) Support Federal legislation and legal appeals to clarify that solid waste and recyclable materials are not “property” as that term is used in the Federal Aviation Administration Authorization Act. [2001 staff suggestion/2003 Modified]
- (10) Support requirements that prohibit the disposal of radioactive materials along with municipal solid waste and release of radioactive materials into the recycling stream. [2001 staff suggestion]
- (11) Support removal of barriers to medical reimbursement for reusable products and services for Incontinent Medical Supplies. [2001 staff suggestion]
- (12) **Support efforts to divert household “sharps” waste from disposal in the municipal solid waste stream and require vendors of sharps to take back and dispose of sharps that they sell, in order to protect the health and safety of the public and solid waste workers.** [2003 Public Works Staff Recommendation]
Home-generated needles, syringes, and other medical “sharps” can be legally disposed in ordinary garbage. This poses injury and disease risks for solid waste collection, recycling, transfer and landfill workers. Vendors of sharps currently have no obligation to take them back from customers, who are left with few legal and convenient disposal options.
- (13) **Make businesses responsible for control of their own shopping carts. Require the use of removal prevention devices on carts to prevent their use beyond the limits of the business’ influence. Return the costs of shopping cart control to the businesses that create the problem by supplying shopping carts but refusing to install removal prevention devices.** [2003 Public Works Staff Recommendation]
Shopping cart misuse has gotten out of hand. City forces are being required to expend valuable resources in controlling the problem by collecting, storing and attempting to dispose of shopping carts that have been removed from premises and abandoned on City property. Devices are available to businesses to prevent such a problem, and some businesses have installed them. Businesses that have not taken advantage of such techniques should pay the costs created by the carts that they provide.

3.3 Sanitary Sewer System (new heading)

- (1) **Support increased federal support for municipal wastewater infrastructure needs.** *[2003 Public Works Staff Recommendation]*
- (2) **Provide for the financing of the continual investigation and repair of deficiencies in the sewer collection system to prevent or eliminate infiltration, exfiltration, overloading of the Water Pollution Control Plant (WPCP) or the contamination of surface and ground water resources.** *[2003 Public Works Staff Recommendation]*
There is no specific statement supporting the maintenance and replacement of existing sanitary sewer infrastructure. This infrastructure is as important as the water infrastructure.

3.4 Surface Runoff

- (1) Support reduced pollutant loads in runoff and develop a risk-based approach to storm water permitting and management (NPDES). *[1990 NLC Resolution]*
- (2) Support intergovernmental efforts to address the danger of tidal flooding, and encourage federal study of the issue for the San Francisco Bay. *[1998-December-Council suggestion]*
- (3) Support efforts to mitigate fresh water flooding. *[1998-December Council suggestion]*
- (4) **Oppose any efforts to include numerical limits for pollutants in permits for storm water discharges.** *[2003 Public Works Staff Recommendation]*
Pollution from storm water has traditionally been addressed through Best Management Practices rather than numerical limits. This approach has been upheld in the Ninth Circuit Court of Appeals (Defenders of Wildlife v Browner, September, 1999). Numerical limits would almost certainly require very expensive new treatment and/or routing of stormwater to the water pollution control plant, also a very expensive proposition.

3.5 Energy

- (1) Support state and federal actions allowing for diversity of new fuels research, development and application, including the promotion of technical improvements in current energy sources and increased fuel efficiency standards for mobile sources. *[1989 LCC Resolution]*
- (2) Support the development and use of alternatives to conventional motor vehicle transportation fuels; support the involvement of local governments in efforts to identify and define markets for alternatively-fueled vehicles. *[First Appeared 1998-January]*
- (3) Encourage efforts to reduce energy consumption through the application of available technologies in the field of traffic signal control and street lighting. *[First Appeared 1993]*
- (4) Support ~~restoration of~~ solar and energy conservation tax credits. [*] *[2003 Public Works Staff Recommendation]*
Original policy inaccurately implied that no such tax credits currently exist
- (5) Support cities' efforts to implement cost-effective energy efficiency standards that also consider air pollution impacts whenever possible for buildings, industry and the transportation sector that would substantially reduce the consumption of energy. *[First Appeared 1992]*

- (6) Support the adoption of a national comprehensive energy strategy that includes energy conservation, education, research and development of renewable and alternative energy sources, and encourages reduced dependence on foreign oil and the use of domestic energy sources. *[First Appeared 1992]*
- (7) Encourage the participation of local governments in the development, deployment and commercialization of energy efficiency and renewable energy technologies. *[First Appeared 1992/Modified 1998-December]*
- (8) Support a review of electric utility deregulation to assure reliability, consistency and reasonable pricing. *[1996 NLC Resolution]*
- (9) Support the State and California Public Utilities Commission to develop and implement a plan for the underground conversion of overhead utility lines within the next 25-years. *[2002 LCC Resolution]*

3.6 Noise

- (1) Support the retention of citizens' right to sue airports for noise impact. *[*/2003 Moved to current section]*
- (2) Encourage airport operation policies that reduce the level and frequency of noise and support federal funding to alleviate the effects of aircraft noise. *[*/2003 Moved to current section]*
- (3) Support funding for highway-rail grade crossings and oppose reduction in local authority to regulate train whistle use within city boundaries. If a federal rule is adopted on whistle use, funding should be provided to local governments to meet the criteria. *[2002, 2003 & 2004 NLC Resolution/2003 Moved to Current Section]*

3.7 Air Quality

- (1) Continue to support Bay Area cities, counties, regional agencies and districts vehicle license fee subventions for air pollution control programs. *[First Appeared 1991/Modified 1998-January/2003 Modified]*
- (2) Support requiring local government participation on the governing bodies of unified and county air pollution control districts in California. *[First Appeared 1992]*
- (3) Support prohibiting the use of ozone-depleting methyl bromide for any reason. *[First Appeared 1993]*
- (4) Oppose redirecting state revenue used by local government for locally based air quality programs. *[1996 LCC Resolution]*
- (5) Support cost-effective emission reductions from national air pollution sources and encourage controls on international sources. *[1997 LCC Resolution]*
- (6) Support actions for meeting ambient standards for air and noise pollution emissions. *[1991 LCC Resolution/Modified 1994/2003 Modified]*
- (7) Support efforts to manage and reduce risks from air toxics. *[First Appeared 2003]*

- (8) Support federal legislation that requires the federal government to provide sufficient funds to remediate or otherwise relieve identified problems with indoor air quality in schools. *[2003, 2004 NLC Resolution]*
- (9) **Support efforts to improve or strengthen regional and local regulation of mobile source emissions.** *[2003 Public Works Staff Recommendation]*
Mobile source emissions are the greatest source of air pollution. Additional regulation is warranted.

4. PUBLIC SAFETY

4.1 Law Enforcement

- (1) Support legislation that limits the availability of high capacity weapons and ammunition. Encourage stricter sentences for convictions involving firearms use. Support requiring locking devices on firearms and stricter gun control legislation to ensure adequate safeguards prior to purchases. *[1993 LCC Resolution]*
- (2) Support local regulation for public health, safety, and welfare to assist localities in controlling sexual material and prostitution in support of the state law. *[*/Modified 1998-December]*
- (3) Support efforts to enhance response to domestic violence incidents, including allowing local agencies to destroy or retain firearms or deadly weapons involved in such incidents. *[*/Modified 1994 LCC Resolution]*
- (4) Support requirements for persons committing driving violations to be financially responsible for enforcement, and support surcharges on criminal sentences to pay for lab services and booking fees. *[*/Modified 1994]*
- (5) Support adequate financing of jails and criminal justice facilities but address the need to devote equal time and energy to develop effective alternatives to incarceration, including early intervention of at-risk youth and counseling and rehabilitation programs. Oppose eliminating the option of incarceration for first time drug offenses. *[1989 LCC Resolution]*
- (6) Support efforts to prevent gang violence, including allowing parks, recreation, libraries and community services to be eligible for financial and technical assistance to provide programs, activities and services as alternatives to gang participation. *[1995 LCC Resolution]*
- (7) Support funding for a national drug policy. Support direct federal funding to cities, without matching requirements, to use in drug prevention, intervention and enforcement efforts. Encourage cities to participate with community service groups, neighborhoods, health care providers, and other groups on plans relating to drug and alcohol abuse prevention and planning. *[1989 LCC Resolution]*
- (8) Require any person, who is released on probation, parole, conditional sentence or suspended sentence on the condition that he/she participate in a drug or alcohol abuse program, to participate in a licensed residential or out-patient treatment facility. *[1997 LCC resolution]*
- (9) Support mandatory training on the operation of motorcycles for all registered owners of such vehicles. *[First Appeared 1991]*

- (10) Support a coordinated and cooperative program between the courts and INS to identify and deport illegal immigrants convicted of felonies in the State of California, either after they have served their sentence or with the understanding they will be incarcerated in their home country. Support federal reimbursement to local agencies for cost of incarcerating criminal illegal aliens. [*1990 & 1996 LCC Resolutions/Modified 1995*]
- (11) Support the ability of local government to benefit from federal adoptive seizure programs for drug-related enforcement and educational purposes. Oppose measures to modify or restrict forfeiture and seizure laws for drug arrests. [*1990 NLC Resolution*]
- (12) Support efforts to ensure that all court levied penalties are not applied in a racially discriminatory manner. [*1990 NLC Resolution*]
- (13) Support requirements for specified airline industry employees to report the presence of drugs or large quantities of cash during lawful inspections at security check points. [*1990 NLC Resolution*]
- (14) Oppose efforts to enact a federal Police Officers' Bill of Rights (the City is already covered by state law). [*1993 NLC Resolution*]
- (15) Support special restrictions and requirements with respect to indeterminate sentencing, parole, and release for convicted criminals. [*1994 LCC Resolution*]
- (16) Oppose changing or limiting Public Safety's ability to issue "Carrying Concealed Weapons" permits. [*1996-staff suggestion*]
- (17) Maintain a "zero tolerance" for hate crimes and vigorously investigate hate crimes that occur. [*1997 Council suggestion*]
- (18) Support programs that deter graffiti. [*First Appeared 1998-January*]
- (19) Support efforts to promote city-sponsored programs to educate citizens concerning the social costs of allowing their pets to breed and to restrict indiscriminate breeding through permit systems, licenses, fines, spaying and neutering. [*Added 1992 to an existing policy*]
- (20) Support programs and efforts aimed at assisting with the clean-up of abandoned vehicles and protect City's right to impose abandoned vehicle fees. [**/Modified 1994/clarification 2001*]
- (21) Oppose the legalization and or decriminalization of all controlled substances. [**/2001 clarification*]
- (22) Support efforts to provide local law enforcement all necessary tools for investigation and prosecution of suspected felonies, including access to encryption as appropriate. [*1998-December-staff suggestion*]
- (23) Support providing local government the ability to double fines for traffic violations in school zones. [*2000 LCC Resolution*]
- (24) Support federal and state sponsored studies to determine as quickly as possible the safety of using cell phones while operating motor vehicles. [*2001 staff suggestion*]

- (25) Urge the federal government and transportation agencies and companies to take immediate action to enhance security practices. *[2002 NLC Resolution]*
- (26) Request federal resources to mitigate local government cost to respond to terrorist threats. Balance the cost of security against terrorist threats with ongoing needs for water and wastewater infrastructure. *[2002 NLC Resolution]*
- ~~(27) Urge the Consumer Product Safety Commission to prohibit manufacture or marketing of colored tire treads. *[2002 NLC Resolution]* (2003 Public Safety Staff Recommendation)~~
Colored tire treads are no longer manufactured; therefore this policy can be deleted.
- (28) Support efforts to enhance 911 services to reduce time required for locating and processing wireless 911 calls. Request funding for wireless emergency locator services. *[2002 NLC Resolution]*
- (29) Urge the federal government to assist municipalities in funding and training for public health risks resulting from terrorist acts. *[2002 NLC Resolution/ 2003 Modification]*
- (30) Support strong intergovernmental partnerships that ensures effective communications, long-term financial support to municipalities for their roles in national defense, and true collaboration in preventing and responding to any acts of terrorism in America's cities and towns. *[2003 NLC Resolution]*
- (31) Support efforts by Congress to assist state and local governments with developing and funding integrated criminal justice information systems. *[2002, 2003, 2004 NLC Resolution]*
- (32) Support the "Extradition Treaty" (1980) be revised to resolve the issue of extradition of those suspected of committing violent crimes against people in the United States. *[2002, 2003, 2004 NLC Resolution]*
- (33) Support efforts by Congress to restore the State and Local Law Enforcement Block Grant to full funding. *[2003 NLC Resolution]*
- (34) Support efforts by Congress to restore the State Criminal Alien Assistance Program to full funding. *[2003 NLC Resolution]*
- (35) Support the national AMBER plan. *[2003 NLC Resolution]*
- (36) Support legislation that provides supplemental funding to cities for local law enforcement programs (i.e. Supplemental Law Enforcement Services, SLES) *[2003 Public Safety Staff Recommendation]***
Specifically supports programs such as COPS.
- (37) Oppose the Criminal Alien Removal Act of 2003 (The Clear Act). Oppose legislation requiring local police to be responsible for the enforcement of federal immigration laws. If the federal government requires that local law enforcement work as immigration officers, the federal government must pay all associated expenses. *[2004 NLC Resolution]***

- (38) Support resolving interoperability problems that affect emergency communications systems, remedying the current shortage of broadcast spectrum availability for public safety needs, and providing funding for interoperable equipment. *[2004 NLC Resolution]*

4.2 Fire Services

- (1) Promote fire-safe construction methods to reduce injuries and fire loss. *[1989 LCC Resolution/2001 simplification]*
- (2) Prohibit sales and use of all fireworks except those approved for commercial use. *[*/2001 simplification]*
- (3) Support ongoing funding for reimbursable State Fire Training Programs. *[1990 LCC Resolution/2001 simplification]*
- (4) Support increasing the role of cities in selecting, monitoring and providing emergency medical services. *[1997 LCC Resolution/2001 simplification]*
- (5) Support current requirements and funding for agencies providing mutual aid in emergencies. *[*]*
- (6) Support legislation deleting organ donor verification searches by first responders. *[1993 LCC Resolution/2001 clarification]*
- (7) Oppose adoption of staffing, response time, or other standards for fire or medical services that would preempt local authority to set appropriate standards. *[2002 NLC Resolution]*

Hazardous Materials

- (1) Support community safety through regulation of hazardous materials transportation and storage consistent with local regulations, with advance local notification and funding for local hazardous spill response. *[*]*
- (2) Support proper management and controls on hazardous materials and waste products, while allowing local flexibility for alternative compliance methods. *[*]*
- (3) Support adequate funding for toxic substance clean-up. *[*/Modified 1991 NLC Resolution/2001 Simplification]*
- (4) Support consolidation of regulatory programs at the local level and limit actions on local government liability in implementing mandates in regard to toxics control. *[*/2001 Clarification]*
- (5) Support optional involvement of local government in abatement of hazardous materials with appropriate liability immunities. *[*]*
- (6) Support state reorganization of hazardous materials abatement emphasizing Regional Water Quality Control Boards as having primary responsibilities. *[*]*

- (7) Support continued clean-up of former military and other federal properties consistent with the General Plan and established zoning on adjacent property. Support federal legislation to allow the federal government to expeditiously sell or lease environmentally safe areas/parcels of closed military bases and other federal properties to local communities or the private sector; allow for transfer of contaminated parcels while clean-up proceeds, provided it can be done safely; indemnify purchasers/lessors provided they don't continue to add to the contamination; and emphasize and/or enhance existing regulations and funding which hold the federal government responsible for clean-up of hazardous waste on a timely basis. *[First Appeared 1993/Modified 1996/2001 clarification/2003 Modification]*
- (8) ~~Support federal incentives to encourage local governments to develop and participate in local, regional, and state household hazardous waste programs and to avoid obstacles that may be created by imposing a federal program in areas where local programs are already implemented.~~ *[First Appeared 1993] (2003 Public Safety & Public Works Staff Recommendation)*
No federal involvement in household hazardous waste programs is anticipated.
- (9) Request priority assistance from state and regional agencies which must approve removal of toxic substances or provide remedial plans for hazardous waste sites when the condition was caused by a previous owner of the property. *[1989 LCC Resolution]*
- (10) Oppose requirements for cities and counties to develop and maintain land-use histories on all commercial or industrial property where toxic or hazardous materials have been utilized. *[staff suggestion, 2000]*

4.3 Support Services

- (1) Support efforts to ensure protection of sufficient radio spectrum to meet public safety's current and future needs. Public safety needs should have priority over private or for-profit communication systems. *[1998 NLC Resolution]*
- (2) Support legislation that provides funding mechanisms to local governments to pay public safety communication system upgrades or changes mandated by the Federal Communications Commission. *[1998-December-staff suggestion]*
- (3) Support legislation that protects the current amateur radio bandwidth within the radio spectrum to ensure amateur radio communications support during disasters. *[1998-December-staff suggestion]*
- (4) Support the use of low earth orbiting satellites when those systems will not cause interference to public safety communications systems or their supporting amateur radio communications systems. *[1998-December-staff suggestion]*
- (5) Support legislation that requires developers to fund the costs of radio communications infrastructure upgrades to allow emergency communications within new buildings or structures. *[1998-December-staff suggestion]*
- (6) Support efforts to require local dial tone providers to maintain 24 hour contact numbers for Public Safety emergency phone traces. *[1998-December-staff suggestion]*

- (7) Support legislation that requires that local competitive dial tone providers to display exact locations rather than global addressing for all users including PBX (Private Branch Exchange) users within their ALI (Automated Location Information) database accessed by 911 Centers. *[1998-December-staff suggestion]*
- (8) Support collaborative efforts to enhance emergency preparedness planning, coordination and disaster mitigation, particularly to the extent any such effort can be located at the Moffett Federal Complex and/or compliment the tenants at Moffett. *[Council action in September, 2000]*
- (9) Support State legislation/funding that enhances Public Safety officer's training in the areas of ethics and conduct. *[Staff Recommendation, 2001]*
- (10) Oppose FEMA regulations regarding insurance for public buildings unless a comprehensive cost-benefit analysis of the availability, affordability and insurance market capacity is conducted and local concerns are addressed. Ensure that local governments are consulted and their issues considered and resolved prior to any changes in federal insurance requirements. *[NLC-2000 & 2002 Resolution]*
- (11) Urge the federal government to work collaboratively with local governments to increase security of telecommunications infrastructure to remotely control water, power facilities, and other public utility systems that may be targets of terrorism. *[2002 NLC Resolution]*
- (12) Encourage creation of a "Coordinator for Public Protection and Safety Communication" within the office of the U.S. Secretary of Homeland Security. Urge implementation of the recommendations of the Public Safety Wireless Advisory Committee Report (1996). *[2002 NLC Resolution]*
- (13) Support efforts to secure funding for hazardous materials equipment and training that reduce occupational health issues associated with methamphetamine lab seizures and clean up. *[2002, 2003, 2004 NLC Resolution]*
- (14) Encourage prompt reimbursement of approved disaster recovery expenses by FEMA to cities determined to be part of a declared disaster area. *[2002 NLC Resolution]*
- (15) Support 311 services – non emergency direct line to Department of Public Safety. Support is limited to situations where all surrounding cities adopt it. Otherwise particular legislation must address our processing, cost, privacy and misdial concerns. *[2001, Study Issues Recommendation/2003 Modification]*
- (16) Support remedying the current shortage of broadcast spectrum availability. Support adequate funding for interoperable equipment to better coordinate emergency response. *[2004 NLC Resolution]***
- (17) Support the improvement of the Homeland Security Advisory System (HSAS) and consolidate it with the Emergency Alert Systems (EAS). Support federal funding to local governments to cover costs associated with heightened threat levels. *[2004 NLC Resolution]***

5. SOCIO-ECONOMIC

- (1) Oppose mandates to require equal benefits to domestic partners. *[1989 LCC & NLC Resolution/2001, Simplification]*

- (2) Support community and county government efforts to encourage legal immigrants to become United States citizens. *[Council RTC 97-262]*
- (3) Oppose cutting off education, health, and social services to undocumented immigrants and requiring educators, health care providers, and public safety officials to report suspected illegal aliens to federal authorities. *[1994 Ballot Initiative Prop]*
- (4) **Oppose legislation restricting state and local governments from collecting or using information on a person's race, ethnicity, color, or national origin for the purposes of public education, public contracting, public employment, and other government operations.** *[October 2003 Ballot Initiative – Proposition 54]*
- (5) **Support federal and state funding to assist with implementing 2-1-1, the three-digit phone code that was designated in 2000 by FCC to be exclusively used for information and referral for health and human services.** *[Council Resolution; RTC 03-109]*

5A. Demographics and Neighborhoods

5B/C/D. Economy and Employment

- (1) Provide county government with the maximum flexibility to design welfare-to-work programs that address unique local circumstances that remove potential barriers to entry into the job market for assisted individuals and increase their learning potential. *[Council RTC 97-262]*
- (2) Support coordinated economic development efforts to increase employment opportunities and increase quality of jobs including coordination with the existing employment and training resources funding ~~under JTPA~~. *[*/Modified in 1998-July and December] [2003 Community Development Staff Recommendation]*
- (3) Support research and development funding that increases **and capitalizes on** the capabilities of our existing industries, and increase the role of federal research and development in civilian research and technology. Support programs that promote continued/increased research and development that is innovative, entrepreneurial and has growth potential. *[Combined from two policies that first appeared in 1994] [2003 Community Development Staff Recommendation]*
- (4) Support development of U.S. congressional legislation to approve funding to continue the School-to-Work Opportunities Act. *[2003, 2004 NLC Resolution]*

5E/F. Education and Training

- (1) Support education and training programs at all educational levels (high school, undergraduate and graduate programs) that increase access and competitiveness for high technology jobs. *[*/Modified 1998-January/2001, Clarification]*
- (2) Oppose school voucher plans that provide funding to private and parochial schools if they weaken the public school system. *[1993 Ballot Initiative-Prop. 174]*
- (3) Support expanding the use of interactive technologies for lifelong learning and education. *[1993 LCC Resolution]*

- (4) Support expanding employment training services for dislocated workers and expand eligibility for such services. Provide funding to alleviate immediate needs of dislocated workers; strengthen commitment to existing programs that provide for transitional workers. [*1989 NLC Resolution/2002 NLC Resolution*]
- (5) Support increased state and federal appropriations for and client access to adult education, job training and job retention programs. [*1989 NLC Resolution*]
- (6) Support a coordinated strategy to improve employer access to employment training, and federal and state initiatives that augment local autonomy on employment training (retain the strong role of the chief elected officials and Workforce Investment Boards). [*1993 LCC & NLC Resolutions/2001 modification*]
- (7) Support greater flexibility and simplicity in administrative procedures and adequate funding for job training, employment support and welfare programs. [*Council RTC 97-262*]
- (8) Support federal reimbursement to local school districts for up to 40 percent of the costs of special education programs mandated by federal law. [*2002, 2003, 2004 NLC Resolution*]
- (9) Support reauthorization of the Workforce Investment Act and urge Congress to fully fund the Act's employment and training programs. [*2003, 2004 NLC Resolution*]

5G/H. Health and Social Services

- (1) Support community-based efforts to develop health education and training programs for the general public, local officials and city employees. [**/Modified 1995*]
- (2) Support State and national health programs to ensure all citizens have adequate coverage at an affordable cost, incorporating the principles of simplicity and local flexibility, without making the employer solely responsible for funding the program. Oppose "single-payer" healthcare proposals. [*First Appeared 1989/Modified 1994*]
- (3) Support full or partial state funding of general welfare assistance program. [*Council RTC 97-262*]
- (4) Support efforts to improve the health of California's children, including preventive health check-ups, immunizations, and prenatal care. [*1995-staff suggestion*]
- (5) Oppose legislation that would require tax-exempt hospitals to provide specified levels of charity care and care to Medicaid and Medicare patients in order to keep that tax-exempt status. [*First Appeared 1998-January*]
- (6) Support efforts to improve and increase funding for mental health programs and services which would not negatively impact City budgets or revenues. [*1990 LCC Resolution*]
- (7) Oppose measures aimed at requiring doctors, blood banks and others to report to local health officers any patients and blood donors whom they reasonably feel have been exposed to AIDS or who have tested positive for it. [*1988 Ballot Initiative-Prop. 102*]
- (8) Support funding for AIDS programs and research, and support the expansion of Medicaid for low-income HIV-infected persons. [*1990 NLC Resolution*]

- (9) Encourage stores selling tobacco products to remove advertising and promotions that are near candy and to remove tobacco advertising that is below counter level. [*Council RTC 96-111*]
- (10) Support funding to allow for the expansion of the federal Head Start program to all eligible children. [*1989 NLC Resolution*]
- (11) Support efforts to increase the availability and affordability of child care, including economic incentives for cities that develop child care facilities. Support efforts to better coordinate local government and private agencies' children's services. [*1989 LCC & NLC Resolutions/1993 LCC Resolution*]
- (12) Support the establishment of quality standards for child care providers and programs. [*1989 NLC Resolution/Modified in 1993, 1995 and 1998-December*]
- (13) Support funding of the Child Care and Development Block Grant program (federal funds allocated to subsidize child care needs). [*1989 NLC Resolution/Modified in 1993, 1995 and 1998-December*]
- (14) Support increased elder care at the local level, including family leave policies, development of adult day-care facilities, and transitional housing for victims and those at risk of elder abuse. Support efforts to expand the availability of family-centered adult day-care facilities and intergenerational care facilities. [*1990 LCC Resolutions*]
- (15) Support legislation to prohibit or further restrict the manufacture and sale of certain fortified wine products, and support strengthening comprehensive alcohol detoxification, prevention, recovery and rehabilitation programs. [*1989 LCC Resolution*]
- (16) Support the continuance of the availability of medical and food stamp benefits for all current legal immigrants meeting the needs test. [*Council RTC 97-262*]
- (17) Support the Food Stamp Program, the School Breakfast and Lunch Program, the WIC Program, senior nutrition programs, and support services for homeless families. [*First Appeared 1992/Modified 1995*]
- (18) Oppose cuts in CALWORKS payments and cutting off additional grants for children conceived while the family is on welfare. [*First Appeared 1993/Modified 1998-July*]
- (19) Support extending the eligibility period for food stamps for unemployed single adults 18-50 who are making a good faith effort to find employment from three months in a three year period. [*Council RTC 97-262*]
- (20) Support the reinvestment of cost savings from the redesigned state welfare system into employment services and other services that transition people from welfare to work and augment self-sufficiency. Support the funding and implementation of welfare-to-work programs that include the following kinds of activities: [*Council RTC 97-262*]
 - a. job creation through public or private sector wage subsidies;
 - b. on-the-job-training;
 - c. contracts with job placement companies or public job placement programs;
 - d. job vouchers; and/or;
 - e. job retention or support services.
- (21) Support reauthorization of funding for Temporary Assistance for Needy Families (TANF). [*2002, 2003, 2004 NLC Resolution*]

- (22) Support the use of state Proposition 10 funds (tobacco tax funds), for the development or enhancement of educational and social services for the prenatal through five population and their families [First Appeared 2003]
- (23) **Support child care providers having a voice in the development of potential Universal Preschool legislation.** *[2003 Office of the City Manager Staff Recommendation]*
Proposals for universal childcare legislation could have a significant impact on child care providers and will affect the options available to families and children.
- (24) **Support El Camino Hospital District plans to issue bonds, payable from the proceeds of a tax levied on taxable property within the District, to make seismic upgrades to El Camino Hospital, and to expand and enhance emergency and other hospital facilities.** *[November 2003 Ballot Initiative – Measure D]*
- (25) Support Congressssional action to rectify the current Medicare payment formula inequities and reduce geographic disparities. *[2004 NLC Resolution]*
- (26) **Support the Administration’s goal to end chronic homelessness in the United States in 10 years.** *[2004 NLC Resolution]*
- (27) **Support legislation that requires the federal government to increase funding by \$4.5 billion for the “No Child Left Behind” Act.** *[2004 NLC Resolution]*

5I/J. Human Service Planning and Policy

- (1) Support formal relationships with schools, non-profit agencies, the business community and other government organizations to assess human service needs. *[First Appeared 1993]*
- (2) Support funding of programs dedicated to the prevention of child abuse. *[Council RTC 97-205]*
- (3) Support the provision of foster care and adoption benefits to legal immigrants during the first five years after arriving in the United States. *[Council RTC 97-262]*
- (4) Support the establishment of state assistance eligibility and time limits that are no more restrictive than those of the federal government. *[Council RTC 97-262]*
- (5) Support the development of a comprehensive statewide youth service plan without duplication and increased funding to cities for expansion of services for teen youth. *[First Appeared 1993/Modified 1994 LCC Resolution]*
- (6) Support reauthorization of the Older Americans Act including an allocation increase proportional to the increase in the older population and a provision for greater eligibility of cities to apply for OAA funding. Support efforts to enhance minority participation in Older Americans Act services. *[1990 LCC & NLC Resolutions]*
- (7) Support the initiation and expansion of local volunteer program as an efficient means of maximizing public safety. *[2002 LCC Resolution]*

6. CULTURAL

6.1 Recreation

- (1) **Support efforts to ensure resources are available to perform background checks (ie: fingerprinting) of volunteers and coaches working directly with school aged children in order to enhance the participant's safety. [2003 Parks & Recreation Recommendation]**

Youth sports groups are encouraged to have their volunteers (including coaches) fingerprinted by the Dept. of Justice for the protection of children involved. Currently, the City of Sunnyvale provides this service free of charge. It is a service which costs the City money, however. This newly proposed policy would support funding for independent, non-profit groups who finger-print their volunteers, thereby encouraging the protection of children involved.

6.2 Library

- (1) Support full funding for the State Public Library Fund. [**/Modified 1994*]
- (2) Support the "Library Bill of Rights" as established by the American Library Association. [**/Modified 1998-January/ Adopted in Library Sub Element, 2003 [2003 Library Staff Recommendation]*
City Council approved the Library Bill of Rights as part of the Library Sub Element in 2003.]
- (3) Support collaborative and innovative efforts to provide effective public library services with stable funding. [*1995-staff suggestion/Modified 1996*]
- (4) Support efforts to work with the federal government and private-sector partners to enhance SCI³, the patent and trademark library. [*1996-staff suggestion*].
- (5) Support cooperative efforts between public libraries, educational agencies, civic organizations, individuals, and the business community to promote literacy and greater support for local education programs. [*first Appeared 1993/modified 1995*]
- (6) Support adequate funding and reauthorization of the Library Services and Technology Act (LSTA.) [*2001, Staff recommendation*]
- (7) Actively monitor and oppose any state or federal mandate that restricts open access to information [in any format]. Oppose federal government programs that direct libraries to provide filtering for Internet access. [*2001, Modification/ 2002 NLC Resolution*]
- (8) **Actively monitor the impact of the USA Patriot Act on library users. [Staff recommendation] [2003 Library Staff Recommendation]**
The American Library Association and many communities across the country consider sections of the USA Patriot Act to be a danger to the constitutional rights and privacy rights of library users.
- (9) **Support full funding for the reimbursement by the state of net direct loans by the Sunnyvale Public Library. [First appeared in 1994, readded in 2003] [2003 Library Staff Recommendation]**
This LAP refers to the transaction-based reimbursements (TBR) offered by the state whereby local libraries are reimbursed for a portion of the costs they incur when they extend lending services beyond their normal clientele. The Sunnyvale Library is a net borrower (our residents borrow more items from other libraries than non-residents borrow from Sunnyvale). For many years, the Library was a net lender. In order for libraries to continue to welcome non-residents, it is important that net lenders be compensated.

- (10) **Support the United States Patent and Trademark Office (SPTO) efforts to streamline and simplify the application process of applying for and obtaining protection for new patents or trademarks.** *[2003 Library Staff Recommendation]*

The customers of the United States Patent and Trademark Office are also customers of Sci3 because of Sci3's partnership status with the PTO. Improving the application process for applying for and obtaining patent and trademark protection benefits Sci3's customers and Sci3's staff ability to work with them.

- (11) **Support the USPTO efforts to retain 100% of the fees collected for its services** *[2003 Library Staff Recommendation]*

Fifteen percent of user fees collected by the USPTO are diverted to unrelated federal programs every year. This diversion of funds has an impact on the timeliness with which patents can be granted because inventions are becoming more complicated and taking more staff time, however, the PTO has been unable to hire more staff due to a lack of funds. With more time needed to obtain patent protection, the system itself may be threatened as inventors cannot afford to wait five or ten years for a response from the USPTO. Once a patent is issued, the protection is granted for 20 years from the filing date. So, if it takes 5 years to issue a patent, then protection will only be granted for 15 years. At some point, the protection becomes less important due to the limited time of protection provided.

7. PLANNING AND MANAGEMENT

7.1 Fiscal Management

- (1) ~~**Support a continuation of Industrial Development Bonds (IDBs) with appropriate controls.**~~ *[*] (2003 Finance Staff Recommendation)*

This LAP is outdated

- (1) Support efforts to reduce and make uniform grant regulations and reporting requirements. Oppose withholding of grant funding on the basis of issues unrelated to the specific program. [*]

- (2) Encourage **government entities** to establish full-cost accounting systems. *[First Appeared 1992] [2003 Finance Staff Recommendation]*
Current LAP limits City support to cities and state only, and not other entities like counties or special districts.

- (3) Oppose requiring cities to give local tax exemptions to non-profit organizations. *[1994 Ballot Initiative-Prop. 176]*

- (4) Support legislative bodies' ability to delegate investment responsibility to the treasurer of the local agency. *[First Appeared 1996/Modified 1998-January]*

- (5) ~~**Support legislative bodies' ability to delegate authority to adopt a new fee or service charge or increase an existing fee or service charge (including those based on valuation).**~~ *[Split from existing policy 1998-January] (2003 Finance Staff Recommendation)*

Staff cannot determine exactly what this policy is intended for, or why there was a split. Staff further proposes to replace this policy with the one listed in 7.1.5 below.

- (5) Support efforts to recover the full and reasonable cost of providing City services through establishing new fees (including user fees and/or charges based on valuation), or increasing existing fees and charges (including user fees and/or charges based on valuation), as allowable by law. *[2003 Finance Staff Recommendation]*
This proposed LAP will allow the City Council to support the full cost recovery of providing a particular service, as permitted under state law. It is meant to replace the policy directly preceding this one.
- (6) Support efforts to streamline the civil service system and authorize the state to competitively contract for public services (allow state agencies to bid for those services). *[First Appeared 1996]*
- (6) ~~Oppose the City soliciting funds [as opposed to sponsorships] for City programs or services, such as asking businesses and/or individuals for cash donations to subsidize City programs or services. [First Appeared 1998-July] (2003 Office of the City Manager & Office of the City Attorney Staff Recommendation)~~
Would be more appropriately addressed in the City's Administrative Policy.
- (7) Support the **voluntary** formation of regional partnerships which could include tax sharing around specific issues: e.g., solid waste, air pollution, water pollution, **and** transportation, **etc.** *[1990 NLC Resolution] [2003 Finance Staff Recommendation]*
Addition of the word "voluntary" will ensure that the City can effectively oppose attempts by the state or federal government to compel local governments to enter into tax sharing arrangements.
- (8) Support uniform collection of the Utility User Tax and franchise fees on all providers of public utilities. *[1998-December-staff suggestion]*
- (9) Oppose unfunded or underfunded state or federal mandates. Support legislation that would require an extraordinary vote for any mandate that does not fully fund the local obligation. *[Added to existing policy 1998-January/Modified 1998-December/2001 Clarification]*
- (10) Support funding for local governments and schools that are not in conflict with each other. *[1990 League Resolution]*
- (11) ~~Support a city's ability to impose user fees. [First Appeared 1992/Modified 1996] (2003 Finance Staff Recommendation)~~
This LAP is unneeded, and is replaced by 7.1.5
- (12) Support the ability of public agencies to contract out to save money and/or expedite projects. *[2001, Staff recommendation]*
- (13) Support uniform and consistent application of sales taxes and laws to all sales transactions. *[2001, Staff Clarification]*
- (14) Oppose extension of Internet tax moratorium; support efforts to simplify remote collection of sales and use taxes. *[2001, Staff recommendation/2003 NLC Resolution]*
- (15) Oppose attempts to limit the City's ability to manage and administer its locally prescribed pay and benefits systems. *[First Appeared 2003]*

- (16) Support legislation requiring voter approval before state government may take local tax funds. *[November 2003 City Council Resolution No. 153-03]*
- (17) Oppose legislation which commits a percentage of the State's General Fund revenue to an Infrastructure Investment Fund that allocates moneys for state and local capital outlay purposes, if a net reduction to local funding may result. *[October 2003 Ballot Measure – Proposition 53]*
- (18) Support adding the Federal Home Loan Banks to the list of organizations in section 149 of the Internal Revenue Code so that the Federal Home Loan Banks can provide standby purchase agreements, letters of credit, and other credit enhancements to cities. *[2004 NLC Resolution]*
- (19) Support legislation which would permit municipalities and other issuers of tax-exempt bonds an additional opportunity to advance refund outstanding tax-exempt bonds. *[2004 NLC Resolution]*

i) Federal

- (1) Support maintaining a federal balanced budget and reducing the national debt. *[1989 NLC Resolution]*
- (2) Support tax-exempt financing for traditional government functions without the imposition of a state-by-state volume cap. *[*]*
- (3) Support the permanent extension of the Targeted Jobs Tax Credit, Mortgage Revenue Bonds, Mortgage Credit Certificates and Qualified Small Issue Manufacturing Bonds. *[First Appeared 1992/Modified 1998-July]*
- (4) Oppose reducing funds to state and local governments through charging administrative costs against intergovernmental transfers. *[First Appeared 1992]*
- (5) Oppose actions that would reduce or erode locally controlled revenue sources. *[2003 Finance Staff Recommendation]*
Currently there is no LAP that addresses federal takeaways or erosions of local funds.
- (6) ~~Support the use of Federal Transportation Trust Funds for the delivery of transportation system improvements and distribution of the funds done on the principle of “return to source”. Oppose retention of trust funds for the purpose of “masking” the federal deficit or actual budgetary imbalances. [1998-December-staff suggestion].~~ *(2003 Finance & Public Works Staff Recommendation)*
Moved to Section 1, Land Use and Transportation, (i) Region

ii) State

- (1) Protect the authority of charter cities to control local revenues. Oppose the reconfiguration of revenue distribution formulas to take revenues away from local government to fund state programs. *[1989 LCC Resolution/2001 Clarification]*
- (2) Support reform to Proposition 13 that would be more equitable to post-Proposition 13 property owners. Oppose selective exceptions from reassessments for special groups. *[1988 & 1990 Ballot Initiatives-Props. 90, 93, 110]*

- (3) Support flexibility and local control in investments, while recognizing the need for some restriction on the types of investments public entities can make. [**/Modified 1996*]
- (4) Encourage the state to use market-based incentives to achieve policy goals instead of resorting to mandates. [*First Appeared 1998-July/Modified 1998-December*]
- (5) Support state sales tax revenues from motor vehicle fuel sales being used for transportation purposes. [**/2001 Clarification*]
- (6) Oppose a mandated reduction in local property assessments for property owned by utility companies. [*1989 NLC Resolution*]
- (7) Support proposals aimed at the development of multiple criteria for determining bonded indebtedness at the state level (i.e., beyond the current criteria of a "5% of total" cap) so as to protect the solvency of the state's general fund. Review bond proposals on the state ballot on a case by case basis, considering the overall need, the ability to cover operating costs, the impact on Sunnyvale, and the impact on the state general fund. [*First Appeared 1991/Modified 1993 LCC Resolution*]
- (8) Support a comprehensive state performance review and audit system and long-range financial planning and performance budgeting to enhance accountability, efficiency, and responsiveness at all levels of government. [*1993 LCC Resolution/Modified 1996*]
- (9) Prohibit the state from borrowing to finance budgetary deficits. [*First Appeared 1996*]
- (10) Support full state repayment of property tax revenues (ERAF) to cities. [*1997 LCC Resolution*]
- (11) Support efforts to amend the California Constitution to provide local government with protected and predictable revenue sources. Support passage of a ballot measure to stabilize and reform local government finance. [*Added to existing policy 1994/LCC-2001, #7*]
- (12) Support **the ability of local governments and school districts to raise additional revenues through** simple majority voter approval requirements; ~~for local governments and school districts bonds oppose efforts to place greater controls on the revenue raising authority of local governments and school districts.~~ [*Added 1998-December-staff suggestion/2001 clarification*] **[2003 Finance Staff Support Recommendation]**
This proposed LAP broadens support for local and school district revenue raising authority. The current LAP is restrictive as it only pertains to bond issues.
- (13) **Oppose attempts to earmark funding for local governments that may result in local funding reductions in other areas.** **[2003 Finance Staff Support Recommendation]**
The City does not have a current policy that addresses this issue, as raised by Council.
- (14) Support clear assignment of responsibility for state and local governments with better alignment of program responsibility and funding authority, with preference for local control versus state control. [*First Appeared 1996/Modified 1998-December*]
- (15) Support reforms to the property tax appeals process so that:

- a. Each public agency receiving property tax revenue shall be given reasonable notice of appeals, have legal standing to appear and be heard in connection with any property tax appeal affecting property tax revenue to be received by such agency.
- b. At least one member of the property tax assessment appeals board shall be a representative of cities and redevelopment agencies within the county. [1998 LCC Resolution]

7.2 Community Participation

7.3 Legislative/Management

Elections

- (1) In cooperation with County Registrar of Voters, contain costs of elections as long as the elections process is not adversely affected (i.e., purge voter rolls, limit costs for candidate statements, prevent abuse of absentee ballot process). Support continued state reimbursement of absentee ballot costs. [**/Modified 1993 LCC Resolution*]
- (2) In cooperation with County Registrar of Voters, support practices which would increase voter turnout in local elections (e.g., mail ballots, more information to voters for judicial elections). [***]
- (3) Support requiring absentee ballot applications to be submitted 14 days prior to an election. Support efforts to simplify and to expedite the counting of absentee ballots. [1994 LCC Resolution]
- (4) Support efforts to achieve the goals of the Political Reform Act of 1974 (reporting conflict of interest statements to the Fair Political Practices Commission) in a more cost-effective way. [1994 LCC Resolution]
- (5) Oppose initiatives that would take away the state legislature's ability to reform the state initiative process and that would make any changes contingent upon the approval of the electorate. [1990 Ballot Initiative-Prop. 137]
- (6) Support Instant Runoff Voting if/when it is determined to be economically and technologically feasible for the county. [1998 Ballot Initiative-Measure F]

Intergovernmental Relations

- (1) Support balanced representation of cities on LAFCOs. [**/Modified 1998-January/2003 Moved to Current Section*]
- (2) Monitor and take an active role in the formulation of any regional/subregional government and growth management proposals. Support a reasonable, broad-based, participatory process for the discussion and/or implementation of regional policies consistent with Council policies and direction. [*First Appeared 1992/Modified 1993 and 1998-Januar/2003 Moved to Current Section*]
- (3) Support enhancing diversity and maintaining presidential discretion in League of California Cities appointments. [1996 LCC Resolution/2003 Moved to Current Section]
- (4) **Support cooperative analysis and negotiation among neighboring and overlapping jurisdictions prior to promulgating laws, regulations, permits and fees that impact**

residents, property owners and businesses in locations receiving service from multiple agencies. *[2003 Public Works Staff Recommendation]*

Water districts, cities, sanitary districts, school districts can all impose restrictions and requirements on residents. Efforts should be taken to coordinate such efforts with community development, planning, finance, and other interests to avoid duplication of and overcharging for services provided.

Human Resources

- (1) Public Employee Retirement System:
 - a. Limit cost-of-living increases and other benefits for retirees to those negotiated by cities (not state legislation); require contract amendments before any such benefit can become effective; and assure that payments for benefits are paid from assets of each employer's plan. *[1990 LCC Resolution]*
 - b. Ensure that any excess revenue in funds is credited to employers' accounts. *[1990 LCC Resolution]*
 - c. Oppose any benefit enhancements for PERS participants that are mandated by the State. *[2001, Staff recommendation]*
 - d. Oppose PERS loans to the state general fund[*]
 - e. Encourage PERS to continue to develop programs to reduce the rate of medical premium increases and control medical insurance costs. *[1990 LCC Resolution]*
 - f. Support efforts to urge the PERS Board to make available a centralized Medicare reimbursement program to local agencies that elect to participate. *[First Appeared 1992/Modified 1995]*
 - g. Support the PERS Board contract with HMOs for fee-for-service plans, licensed and doing business in other states, to provide health benefits for retired employees who choose to reside out of California. Seek also to request the PERS Board to require contracts with out-of-state providers to provide substantially equivalent health services to those offered in California for members. *[First Appeared 1992]*
 - h. Oppose any form of mandatory Social Security coverage. [*]
 - i. Oppose expansion of Medicare coverage of local employees beyond the current requirement for new hires. [*]
 - j. Seek a more active and equal voice for local contracting agency employers on the PERS board. *[2001, Staff recommendation]*
 - k. Support legislation or other efforts to allow local agencies the option to utilize excess PERS investment assets as determined exclusively by the affected local contracting agency, and as permitted by law. *[LCC-2001, #3]*
 - l. Support efforts to help ensure PERS maintains actuarial soundness to minimize short and long-term negative impacts to cities. *[First Appeared 2003]*
 - m. Oppose attempts to limit the City's ability to ensure adequate provision of competitive retirement plans. *[First Appeared 2003]*

n. Oppose efforts to limit the City's ability to negotiate two-tier retirement plans.

[2003 Finance Staff Recommendation]

There is no current LAP that addresses this issue

- (2) Support appropriate efforts to increase employment in local government for the disabled. *[*/Modified 1998-January and July]*
- (3) Encourage appropriate balance of management/employee rights within context of the Meyers-Milias-Brown Act. Oppose actions that would usurp or override the local collective bargaining process and support actions that maintain protection of management rights. *[*]*
- (4) Oppose the state mandating binding arbitration on local government. *[*]*
- (5) Oppose Public Employee Relations Board review of alleged unfair labor practices because the courts offer sufficient remedies. *[*]*
- (6) Oppose mandated "peace officer time banks," but support the right of local agencies to negotiate those. *[*]*
- (7) Oppose illness presumptions for public employees including, but not limited to, cancer or AIDS. *[First Appeared 1989]*
- (8) Support eliminating the "salary basis" test for public employment with regard to the Fair Labor Standards Act. *[First Appeared 1993]*
- (9) Oppose taxability of employee benefits, including employer provided education assistance (Section 127). *[*/Modified 1995-staff suggestion]*
- (10) Support federal Employment Non-Discrimination legislation to prohibit job discrimination on the basis of sexual orientation. *[2000 NLC. 2001 Clarification]*
- (11) Support equal opportunity regardless of age, sex, race, religion, etc. *[*/Modified 1997 due to Prop. 209]*
- (12) Support legislation on pension portability to allow public employers to compete more vigorously with the private sector. *[2000 NLC resolution]*
- (13) Oppose legislation geared toward limiting Cities ability to establish Payroll deduction programs and determine appropriate deduction programs. *[First Appeared 2003]*
- (14) **Oppose legislation that would extend Labor Code 4850 Benefits for longer than one year.** *[2003 Human Resources Staff Recommendation]*
This legislation would significantly increase the City's costs because sworn DPS employees would be eligible for an additional year of full-paid disability benefits in the event of job related illness or injury.
- (15) **Support legislation regarding worker's compensation reform that reduces costs to the City.** *[2003 Human Resources Staff Recommendation]*
Workers compensation costs have risen dramatically and have become a burden to the City. Any reform which lessens the burden on local governments will be beneficial.

Telecommunications

- (1) The Federal Communication Commission's involvement in cable television issues shall not encroach on or supersede local authority to regulate basic costs and enforce customer service standards. [*1989 LCC Resolution*]
- (2) Oppose cable television rate protection for some groups at the expense of others. [*First Appeared 1989*]
- ~~(3) Support efforts to curtail television violence. [*1994 LCC Resolution*]~~ (*2003 Information Technology Staff Recommendation*)
Outdated
- (4) Support provisions for public benefit access, providing local governments with the ability to adequately protect the public infrastructure, and allowing cities to be compensated for the private use of the public right-of-way by all telecommunications providers. [*RTC 94-453/Modified 1998 January and July*]
- (5) Support retaining the franchising authority granted to cities by the 1984 and 1992 Cable Acts and extending it to any agency offering video, voice, and data services. [*Council RTC 94-453*]
- (6) Urge the FCC to require access code before accessing "900" business numbers, and impose penalties on the businesses/providers for non-compliance. [*1994 NLC Resolutions*]
- (7) Oppose prohibiting the freedom of expression using the Internet and similar electronic communications more than other vehicles of communications. [*First Appeared 1996*]
- (4) Oppose using telecommunications technology to access data which results in weakening individual privacy or security. [*First Appeared 1996*]
- ~~(5) Oppose prohibiting restrictions on attorney-client fee arrangements and oppose frivolous lawsuits for alleged securities fraud. [*1996 Ballot Initiative Prop. 211*]~~ (*2003 City Attorney's Office Staff Recommendation*)
Related to an initiative in 1996, no longer current.
- (8) Urge the federal government to work vigorously with local governments to develop and make available compatible and affordable technology that will maximize efficiency in local government. [*LCC-2001, #8*]
- (9) Work with telephone companies and with state and federal regulatory agencies to improve telephone area code planning in California. [*LCC-2001, #9*]
- (10) Support efforts that overrule the Federal Communications Commission (FCC) Declaratory Order finding that cable modem service is an "interstate information service" and is not subject to state or federal telecommunications regulation or subject to local cable franchise requirements. [*2003 Information Technology Staff Recommendation*]**
The City is losing approximately \$125,000 a year as a result of Comcast not paying franchise fees on cable modem service.

Ames/Moffett Federal Complex

- (1) Support NASA/Ames as the lead tenant of the Moffett Complex and steward of a federal, limited-use airfield. [*2001 simplified*]

- (2) Support ongoing cooperation between the City of Sunnyvale, the City of Mountain View and NASA/Ames, including developing and partnering with current or potential tenants, and working on the following areas of partnership: *[1998 Moffett Study Session 2001 modified]*
- a) California Air and Space Center
 - b) Support the University Affiliated Research Center at the NASA Research Park**
 - c) Support the university partnerships at the NASA Research Park to meet future workforce needs of Sunnyvale businesses through internship programs, onsite continuing education and the development of new education curricula to support emerging technologies.**
 - d) Support the development of the NASA Research Park as an incubator of emerging industry business start-ups and new products for existing industry clusters**
 - i) Astrobiology**
 - ii) Biotechnology**
 - iii) Information technology**
 - iv) Nanotechnology**
- [2003 Community Development Staff Recommendation]*
- (3) Support ancillary and limited use of a government airfield for tenants of a government facility. *[1998 Moffett Study Session]*
- (4) The City of Sunnyvale (and the City of Mountain View) will be the lead local government agencies to examine the issues related to alternative land uses at the Ames/Moffett Federal Complex. Oppose efforts that would allow non-contiguous jurisdictions to determine future uses. *[First Appeared /Modified 1998 Moffett Study Session]*
- (5) Oppose commercial aviation, general aviation and air cargo at Moffett Federal Airfield. *[*/Modified 1998-January]*
- (6) Provide support to NASA as the lead agency in analysis and development of alternative uses, recognizing that NASA and the federal government are the ultimate decision-makers on implementation of feasible uses and future decisions related to Moffett Federal Complex. *[Council RTC 98-102]*
- (7) Participate in any regional or other discussions and decisions (including legislation or administrative action) on potential uses of NASA Ames/Moffett Federal Complex, including any aviation uses. *[Council RTC 98-102/Modified 1998 Moffett Study Session]*
- (8) Support efforts to remove Moffett Field as a reliever airport for San Jose International Airport and from the Regional Airport System Plan. *[First Appeared 1997/Modified 1998-December]*
- (9) Support adequate funding for NASA programs that strengthen the overall research and development programs at the NASA Ames/Moffett Federal Complex. *[First Appeared 1998-January]*
- (10) Support safety policies and procedures, for removing and/or storing ordnance from the Moffett complex, that ensures the protection of surrounding populations and the environment.
- (11) Support efforts to utilize assets at the Moffett Federal Complex in the national effort to combat weapons of mass destruction.
- (12) Support efforts to maintain the 129th Rescue Wing [or similar military presence] at Moffett Federal Airfield. Oppose relocation efforts.** *[2003 Office of the City Manager]*

Staff Recommendation] The 129th Rescue Wing continues to consider relocation from Moffett Federal Airfield to Castle Air Force Base in Atwater, California. Relocation would be a great loss to the community. This is a proposed 2004 legislative priority.

Miscellaneous

- (1) Support efforts to revise the California Constitution to enhance accountability, efficiency, and responsiveness for state and local government. [*First Appeared 1996*]
- (2) Support long-term strategic planning by the state and balanced, multiple year budgets with a prudent reserve and outcome-based performance measures. [*First Appeared 1996*]
- (3) Limit the expansion and proliferation of special districts. [**/Modified 1997 and 1998-December*]
- (4) Support the provisions in the Brown Act regarding closed sessions and oppose expansion of closed sessions beyond existing exemptions. Oppose narrowing of attorney-client privilege statutes. Support efforts to require the State Legislature, public commissions, boards, councils, and other public agencies of the state to conduct deliberations and meetings in accordance with the Brown Act. Oppose amendments to the Brown Act that put undue burdens on local government. [**/Modified in 1993 and 1994*]
- (5) Support efforts to require Congress and State Legislature to specifically declare when it is intending to preempt local government authority. [*First Appeared 1992*]
- (6) **Support home-rule authority of charter cities and oppose any efforts to reduce local control. Support strengthening "home rule" provisions in the State Constitution.** [*First Appeared 1996/Modified 1998-January*] [*2003 Community Development & Finance Staff Recommendation*]
Moved from 1. Land Use and Transportation, (ii) The City

Tort Liability

- (1) Limit the power of the courts to award attorney fees in cases of public agency liability. [**/Modified 1996*]
- (2) Provide and support strengthening immunity for public agencies and city employees acting within the scope of their employment from liability, based on occurrences resulting from emergencies/disasters and enforcement of state toxic regulations. [**/Modified 1996/modified 2001*]
- (3) Support strengthening the ability of cities to recover attorney fees and costs when successfully defending frivolous lawsuits. [**/Modified 1996*]
- (4) Limit tort liability and provide certain tort immunities for public entities for unauthorized use of public property. [*First Appeared 1993*]
- (5) Support comprehensive tort reform, including limiting the joint and several liability of governmental agencies to a liability equal to the percentage of their wrong-doing. [*1989 LCC Resolution*]

- (6) Oppose prohibiting contractors from bidding on municipal construction projects solely because they are involved in legal proceedings against the municipality. [1994 LCC Resolution]